

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Implementation of the Telecommunications)	CC Docket No. 96-115
Act of 1996)	
)	
Telecommunications Carriers' Use of)	
Customer Proprietary Network Information)	
and Other Customer Information)	

COMMENTS OF AMERITECH

Ameritech submits these comments in support of the petition for reconsideration filed by the Personal Communications Industry Association ("PCIA") with respect to the Commission's Order indicating its temporary non-enforcement of the electronic flagging and tracking requirements of the Commission's CPNI rules.¹ In the Stay Order, the Commission extended the deadline by which it would begin to enforce those aspects of its rules. However, the Commission also stated:

To the extent that new systems are being deployed during the pendency of the reconsideration petitions, however, we expect the carriers will install electronic flags and audit trails at the time the system is deployed in order to avoid the increase cost of having to retrofit systems in the future to come into compliance.²

¹ *Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information* ("Order"), CC Docket No. 96-115 (September 24, 1998), 63 Fed. Reg. 54379 (October 9, 1998) ("Stay Order").

² *Id.* at ¶5.

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On the one hand, the above quote could be taken as simply a warning to carriers implementing new systems that, if the electronic flagging and audit trail requirements are ultimately sustained in their current form, the carriers will only have themselves to blame if they did not implement the necessary changes at the time the new systems were being developed.

On the other hand, to the extent that the above quote might be an indication that the Commission intends to enforce its rules with respect to new systems, Ameritech supports PCIA's request for reconsideration. As PCIA notes, during the pendency of petitions for reconsideration, parties will have the opportunity to comment on GTE's proposed alternatives for electronic safeguards and to make proposals of their own. As a result, the shape of the safeguards that eventually result from the reconsideration process may be very different from the electronic safeguards currently articulated in the Commission's rules. Therefore, the Commission should not require that new systems be configured to comply with those current requirements.

Moreover, the above quote seems to assume that the major cost component of compliance with the Commission's rules lies in the cost of retrofitting legacy information systems. In Ameritech's case it is not. While the cost of retrofitting those systems is substantial (\$ 67 million for Ameritech), it is the cost of storage of the tracking information that is truly astronomical (nearly \$500 million in Ameritech's case). Thus, even if a carrier could include software changes to new systems for a relatively modest amount, the storage requirements would still be very expensive.

In light of the foregoing, the Commission should clarify that the above quote is not a requirement for carriers to implement the electronic flagging and auditing requirements of the Commission's rules with respect to new systems, or, in the alternative, the Commission should reconsider its requirement in that regard and delay imposing requirements on new systems until it rules on the earlier petitions for reconsideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael S. Pabian", is written over a horizontal line.

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Dated: December 10, 1998
[MSP0185.doc]

CERTIFICATE OF SERVICE

I, Todd H. Bond, do hereby certify that a copy of the foregoing Comments of Ameritech has been served on all parties listed on the attached service list, via first class mail, postage prepaid, on this 10th day of December, 1998.

By:

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